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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,243	05/25/2001	Steve J. Mastrianni	YOR920010278US1	3959

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EXAMINER	
CHANNAVAJJALA, SRIRAMA T	

ART UNIT	PAPER NUMBER
2177	2

DATE MAILED: 03/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application N.	Applicant(s)	
	09/865,243	MASTRIANNI ET AL.	
	Examiner	Art Unit	
	Srirama Channavajjala	2177	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 May 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-53* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-53* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 May 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are approved by the Draftsperson under 37 CFR 1.84 or 1.152

Specification

2. The specification of the disclosure is objected to because at paper no. # 1, page 1, applicant cited two related patent applications without serial no. Applicant is hereby required to provide applications serial no.# and updated status in response to this office action, paper no. # 2.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-16, 22-53 are rejected under 35 U.S.C. 102(b) as being anticipated by Schutzman, US Patent No. 5822780.

4. As to Claims 1,22,38, Schutzman teaches a system which including 'a data processing system for tracking relationships between programs and data' [see Abstract, col 5, line 32-47, fig 1b], Schutzman teaches data processing system, more specifically hierarchical storage management for database system where data files have close

relationship with privileged programs such as detailed in fig 1b; 'receiving a file access request from a program' [col 7, line 43-50], Schutzman teaches request to access file related attributes is translated to unique identifier, then using this unique identifier , it checks to see if this particular file exists, if it does, it access the file as detailed in col 7, line 42-50, fig 5b; 'request is received at an operating system level' [col 9, line 2-11], operating system is integral part of Schutzman's teaching because Schutzman specifically suggests relationship between file management and kernel software for example Unix-based systems as detailed in col 5, line 45-47, further it is noted that Schutzman also teaches accessing file system operating as part of the computer system's operating system as detailed in col 9, line 2-6; 'storing an association between the file and the program' [col 6, line 12-24,col 9, line 12-15,fig 1c, fig 2], Schutzman specifically teaches relation between database file and standard database software as detailed in fig 1c, fig 2.

5. As to Claim 2, 23,39,Schutzman teaches a system which including 'association is stored as meta data' [col 3, line 24-28], Schutzman specifically suggests databases typically contains more information about files and associated information such as meta association with the database as detailed in col 3, line 24-28.

6. As to Claim 3, 24,40, Schutzman teaches a system which including 'file name for the file and a program name for the program' [col 7, line 63-67].

7. As to Claim 4, 25,41,Schutzman teaches a system which including 'at least one of a location of the file, a time of file access, a data of file access, an extension for the file and an identification of a user of the program' [see fig 2, col 6, line 12-24], schutzman specifically teaches database file access information that including access time and like as detailed in fig 2.

8. As to Claim 5, 26,42,Schutzman teaches a system which including 'location of the file is in a remote data processing system' [fig 1].

9. As to Claim 6, 27,43,Schutzman teaches a system which including 'file request is one of a request to pen the file, close the file, copy the file, or delete the file' [col 6, line 53-58].

10. As to Claim 7-8, 28-29,44-45, Schutzman teaches a system which including 'a request to open the file originates from the first program and a request to close the file originates from a second program' [col 4, line 5-9].

11. As to Claim 9, 30,46, Schutzman teaches a system which including 'storing step are performed within an operating system kernel' [fig 1b, col 5, line 44-48].

12. As to Claim 10-11, 31-32,47-48, Schutzman teaches a system which including 'storing step ar3e performed within a device driver' [fig 1b, col 5, line 27-31, line 44-

448], Schutzman specifically teaches Unix based operating system, as best understood by the examiner, most of the devices in a Unix operating system are accessed through device nodes, also called special files they are typically located under the directory /dev in the file system hierarchy. Each device node must be created statically and independently of the existence of the associated device driver, usually by running "MAKEDEV".

13. As to Claim 12, 33,49, Schutzman teaches a system which including 'storing the association between the file and the program in a database' [col 6, line 12-24,col 9, line 12-15, fig 1c, fig 2], Schutzman specifically teaches relation between database file and standard database software as detailed in fig 1c, fig 2.

14. As to Claim 13, 34,50, Schutzman teaches a system which including 'receiving a request from a requestor to access the associations' [col 7, line 43-50], Schutzman teaches request to access file related attributes is translated to unique identifier, then using this unique identifier, it checks to see if this particular file exists, if it does, it access the file as detailed in col 7, line 42-50, fig 5b; 'querying the database for the associations' [col 3, line 45-49,line 56-61];'receiving a result from the database' [see fig 6], 'returning the result returned from the database to the requestor' [fig 6, col 6, line 25-33].

15. As to Claim 14,35,51, Schutzman teaches a system which including 'associations are for a particular program' [col 5, line 65-67, col 6, line 1-2, fig 1c].

16. As to Claim 15, 36,52, Schutzman teaches a system which including 'associations are for a particular file' [col 6, line 2-11].

17. As to Claim 16, 37,53, Schutzman teaches a system which including 'storing the association between the file and the program in at least one of a registry, file, and a file system' [col 5, line 44-47,col 6, line 5-11], as best understood by the examiner "Registry" is an integral part of operating systems such as Unix, MVS [see col 5, line 46-47], the registry is also the centralized configuration database for operating system as well as for applications, further the registry stores information about tuning parameters, kernel executing configuration, device configuration and user preferences, therefore, registry is integral part of operating systems and active component.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

18. Claims 17-21, are rejected under 35 U.S.C. 103(a) as being unpatentable over Schutzman, US Patent No. 5822780 in view of Ogura, US Patent No. 6145044.

19. As to Claim 17, Schutzman teaches a system which including 'a data processing system for tracking relationships between programs and data' [see Abstract, col 5, line 32-47, fig 1b], Schutzman teaches data processing system, more specifically hierarchical storage management for database system where data files have close relationship with privileged programs such as detailed in fig 1b; 'receiving a file access

request from a program' [col 7, line 43-50], Schutzman teaches request to access file related attributes is translated to unique identifier, then using this unique identifier , it checks to see if this particular file exists, if it does, it access the file as detailed in col 7, line 42-50, fig 5b; 'request is received at an operating system level' [col 9, line 2-11], operating system is integral part of Schutzman's teaching because Schutzman specifically suggests relationship between file management and kernel software for example Unix-based systems as detailed in col 5, line 45-47, further it is noted that Schutzman also teaches accessing file system operating as part of the computer system's operating system as detailed in col 9, line 2-6; 'storing an association between the file and the program' [col 6, line 12-24,col 9, line 12-15, fig 1c, fig 2], Schutzman specifically teaches relation between database file and standard database software as detailed in fig 1c, fig 2. It is however, noted that Schutzman does not specifically teach 'bus system, communication unit connected to the bus system, memory connected to the bus system, wherein the processing unit executes the set of instructions'. On the other hand, Ogura disclosed 'bus system' [see fig 1], examiner interpreting bus system corresponds to Ogura's fig 1, also it is noted that Ogura specifically teaches first PCI bus and secondary PCI bus as detailed in fig 1, element 6, 11; ' communication unit connected to the bus system' [see fig 1,fig 6,col 5, line 47-50], 'memory connected to the bus system' [see fig 1], 'wherein the processing unit executes the set of instructions'[fig 3,col 9, line 42-50].

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Ogura into hierarchical storage management for database management systems of Schutzman because both Schutzman and Ogura are directed to storing, accessing, and manipulating data from the memory [see Schutzman: Abstract, fig 1c,2; Ogura: Abstract, fig 1-2]. One of the ordinary skill in the art at the time of applicant's invention to combine the references because that would have allowed users of Schutzman to controlling the transactions for example read, write transactions related to various files and while invalid data, errors in data processing can be prevented as suggested by Ogura [see col 4, line 20-31], thus improving quality and reliability of the system.

20. As to Claim 18, Ogura teaches a system which including 'bus system is a single bus' [see fig 4, col 1, line 36-37].

21. As to Claim 19, Ogura teaches a system which including 'bus system includes a primary bus and a secondary bus' [see fig 1, element 6,11], primary bus corresponds to first PCI bus, and secondary bus corresponds to secondary PCI bus as detailed in fig 1.

22. As to Claim 20, Ogura teaches a system which including processing unit includes a plurality of processors' [col 1, line 36-40].

23. As to Claim 21, Ogura teaches a system which including 'communications unit is one of a modem and Ethernet adapter' [fig 4], Ogura specifically suggests for example network controller, also because network controller and small computer system interface (SCSI) in peripheral component interface forms environment such as Ethernet.

Conclusion

The prior art made of record

a. US Patent No. 5822780

b. US Patent No. 6145044

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

c. US Patent No. 6321219

d. US Patent No. 5948062

e. US Patent No. 5423022

e. US Patent No. 6453354

g. US Patent No. 6381615

h. US Patent No. 6195650

i. US Patent No. 6356915

j. US Patent No. 6654769

k. US Patent No. 6327703

l. US Patent No. 5412808

m. US Patent No. 2001/0025311A1

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is (703) 308-8538. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time. The TC2100's Customer Service number is (703) 306-5631.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached on (703) 305-9790. The fax phone numbers for the organization where the application or proceeding is assigned are as follows:

703/746-7238	**(After Final Communication)**
703/872-9306	**(Offical Communications)**
703/746-7240	**(For Status inquiries, draft communication)**

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.

sc
Patent Examiner.
February 27, 2004.